



Agenda

PUBLIC SAFETY COMMITTEE
Tuesday, February 18, 2020, 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of Agenda
3. Approval of the October 15, 2019 and December 17, 2019 Minutes
4. New Business/Action Items:
 - A. LEGISLATION RELATING TO CHAPTER V – ANIMAL SERVICES, SFCC 1987:
 - i. CONSIDERATION OF BILL NO. ____: AN ORDINANCE AMENDING SECTION 5-2 SFCC 1987 TO AMEND THE DEFINITION OF "DOMESTIC ANIMAL", TO ADD A SECOND DEFINITION FOR "SHELTER", AND TO DELETE THE DEFINITION FOR "TROLLEY SYSTEM"; AMENDING SECTION 5-5.4 TO REDUCE THE LENGTH OF LEASHES AND TO BAN THE USE OF TROLLEY SYSTEMS; AMENDING SECTION 5-5.6 TO SPECIFY WHERE PET LICENSES CAN BE OBTAINED; CREATING A NEW SECTION 5-5.7 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE OUTDOOR SHELTER OF DOGS IN EXTREME WEATHER; CREATING A NEW SECTION 5-5.8 TO PROHIBIT THE KEEPING OF DOGS OUTSIDE IN EXTREME WEATHER; AMENDING SECTION 5-7.1 TO ALLOW ANIMAL SERVICES OFFICERS TO ENTER PRIVATE PROPERTY TO TAKE-UP AND IMPOUND AN ANIMAL THAT IS IN IMMINENT DANGER OF HARM; AMENDING SECTION 5-7.5 TO HAVE COMPLAINTS OF ANIMALS DISTURBING THE PEACE BE HEARD BEFORE A HEARING OFFICER INSTEAD OF AT MUNICIPAL COURT; AMENDING SECTION 5-7.6 TO REFER TO THE FEES AND FINES TABLE; AND AMENDING SECTION 5-12 TO ESTABLISH FEES AND FINES RELATED TO THIS CHAPTER. (Councilors Lindell, Vigil Coppler, Abeyta, Villarreal) (Jesse Guillen, Legislative Liaison, jbg Guillen@gmail.com, 955-6518; Christopher Smith, Animal Services Supervisor, ccsmith@santafenm.gov, 955-2702)
 - ii. CONSIDERATION OF RESOLUTION NO. ____: A RESOLUTION REPEALING RESOLUTION NO. 2004-43 THAT ESTABLISHED LICENSING AND PERMIT FEES, FINES, AND PENALTIES FOR VIOLATIONS AND OTHER CHARGES RELATING TO ANIMAL SERVICES. (Councilors Lindell, Vigil Coppler, Abeyta, Villarreal) (Jesse Guillen, Legislative Liaison, jbg Guillen@gmail.com, 955-6518; Christopher Smith, Animal Services Supervisor, ccsmith@santafenm.gov, 955-2702)
 - B. REQUEST FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF \$86,000.00 FOR EVIDENCE MANAGEMENT SOFTWARE: EVIDENCE ONQ. (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 505-955-5040)
 - C. REQUEST FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF \$93,987.93 FOR SECURITY SYSTEM, ALARM, AND ACCESS CONTROL UPGRADES: HEI, INC. (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 505-955-5040)

PRESENTATION

- A. POLICE FOUNDATION REPORT/EVIDENCE ROOM CONCERNS UPDATE (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)
5. Matters from Police, Chief Andrew Padilla
6. Matters from Fire, Chief Paul Babcock
7. Matters from the Regional Emergency Communications Center, Vanessa Marquez
8. Municipal Court Report
9. Communications from the Floor
10. Matters from Committee Members
11. Adjournment

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PUBLIC SAFETY COMMITTEE
Tuesday, February 18, 2020

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**MINUTES OF THE CITY OF SANTA FE
PUBLIC SAFETY COMMITTEE
Tuesday, February 18, 2020**

A meeting of the City of Santa Fe Public Safety Committee was called to order by Chair Christopher M. Rivera, on Tuesday, December 17, 2019, at 4:00 p.m., in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

1. ROLL CALL

MEMBERS PRESENT:

Christopher M. Rivera, Chair
Herbert L. Harris, Jr.
Gerald Joyce
Peter D. Mizrahi
Dr. Nancy Owen-Lewis
Stephen Tapke

MEMBERS EXCUSED:

Frank (Joe) Arellano
Michael Bowen
Dr. Mike Mier

OTHERS PRESENT:

Chief Andrew Padilla, Santa Fe Police Department
Chief Paul Babcock, Santa Fe Fire Department
Tara King, Administrative Manager, Santa Fe Police Department
Melissa Byers, Stenographer

There was a quorum of the Committee in attendance for the conducting of official business.

2. APPROVAL OF AGENDA

Chief Padilla requested that the amount stated for Item 4(C) be amended to read "\$95,396.06".

MOTION: Member Tapke made a motion to approve the agenda, as amended. The motion was seconded by Member Owen-Lewis. The motion passed by unanimous voice vote.

3. APPROVAL OF THE OCTOBER 15, 2019 AND DECEMBER 17, 2019 MINUTES

MOTION: Member Tapke made a motion to approve the October 15, 2019 minutes. The motion was seconded by Member Harris. The motion passed by unanimous voice vote.

MOTION: Member Mizrahi made a motion to approve the December 17, 2019 minutes. The motion was seconded by Member Harris. The motion passed by unanimous voice vote.

4. NEW BUSINESS/ACTION ITEMS:

A. LEGISLATION RELATING TO CHAPTER V – ANIMAL SERVICES, SFCC 1987:

- i. CONSIDERATION OF BILL NO. ____:** AN ORDINANCE AMENDING SECTION 5-2 SFCC 1987 TO AMEND THE DEFINITION OF "DOMESTIC ANIMAL", TO ADD A SECOND DEFINITION FOR "SHELTER", AND TO DELETE THE DEFINITION FOR "TROLLEY SYSTEM"; AMENDING SECTION 5-5.4 TO REDUCE THE LENGTH OF LEASHES AND TO BAN THE USE OF TROLLEY SYSTEMS; AMENDING SECTION 5-5.6 TO SPECIFY WHERE PET LICENSES CAN BE OBTAINED; CREATING A NEW SECTION 5-5.7 TO ESTABLISH MINIMUM REQUIREMENTS FOR THE OUTDOOR SHELTER OF DOGS IN EXTREME WEATHER; CREATING A NEW SECTION 5-5.8 TO PROHIBIT THE KEEPING OF DOGS OUTSIDE IN EXTREME WEATHER; AMENDING SECTION 5-7.1 TO ALLOW ANIMAL SERVICES OFFICERS TO ENTER PRIVATE PROPERTY TO TAKE-UP AND IMPOUND AN ANIMAL THAT IS IN IMMINENT DANGER OF HARM; AMENDING SECTION 5-7.5 TO HAVE COMPLAINTS OF ANIMALS DISTURBING THE PEACE BE HEARD BEFORE A HEARING OFFICER INSTEAD OF AT MUNICIPAL COURT; AMENDING SECTION 5-7.6 TO REFER TO THE FEES AND FINES TABLE; AND AMENDING SECTION 5-12 TO ESTABLISH FEES AND FINES RELATED TO THIS CHAPTER. (Councilors Lindell, Vigil Coppler, Abeyta, Villarreal) (Jesse Guillen, Legislative Liaison, jbg Guillen@gmail.com, 955-6518; Christopher Smith, Animal Services Supervisor, ccsmith@santafenm.gov, 955-2702)

Mr. Guillen stated that the resolution relating to the fines and fees is being withdrawn. The resolution is no longer necessary because the fines and fees are being incorporated into the proposed bill.

Mr. Guillen handed out an amendment that amends the fees and fines table. The amendment sheet is attached as Exhibit "1". He referred to Page 21 and said currently "neglect" can result in a "criminal conviction" or "civil citation" which is causing confusion. The amendment strikes "criminal conviction" so that a "civil citation" would be issued for "neglect".

Regarding the bill, there are a few clean up items with regards to amending definition of "domestic animal" and adding a second definition for "shelter". One of the main changes is abolishing the "trolley system". The bill also establishes minimum requirements for outdoor shelter of dogs in extreme weather as well as specific care and maintenance; allows animal services officers to enter private property to take in an animal that is in imminent danger of harm; establishes fees and fines by Code, instead of resolution; establishes a hearing officer in the event a person wants to contest a civil citation.

Member Joyce asked if an animal control officer can make the determination to enter onto private property without any permission form a supervisor, judge or warrant.

Mr. Guillen said "yes", only if the animal is being held contrary to Chapter 5 of the Code and if the animal is in imminent danger of harm.

Member Joyce asked "so, it's the animal control officer that would make this determination on their own" without a supervisor.

Mr. Guillen said it would be a policy decision within the department, that is not within the bill.

Member Joyce said he's been a dog lover since he was four years old, hunting dogs and everything. He can't support somebody going on somebody's property without "supervisory or authorization".

Chair River asked Chief Padilla to address.

Chief Padilla said at this point it wouldn't require supervisory permission. He said the animal services officers do a great job. He recognized that many of the animal services officers were present at the meeting. He said today, they would go to a call for service and before they step onto someone's property they get ahold of their supervisor, Christopher Smith, and ask for permission to enter someone's property. At that point if a dog is in imminent danger, they have to act quickly, because what if the supervisor is in a meeting or out sick that day, there are too many "what ifs". He said we have to rely on expertise of the Animal Services Officers to be the grown men and women that they are and the professionals they are to make those decisions on their own.

Mr. Guillen pointed out that currently Section 5-3.3 allows animal services officers to enter private property, not a residence, for the purpose of apprehending animals

running at large and stray animals. There already is a provision to allow this in certain circumstances. It is being expanded a little bit with strict requirements of when that is permitted.

Member Owen-Lewis asked Mr. Guillen to summarize the bill because there are a lot of changes that seem to be causing some confusion.

Mr. Guillen summarized the changes in the bill.

Chief Padilla asked Mr. Guillen about the five questions that Deputy Chief Paul Joye had sent him. He wanted to know if they were being looked at behind the scenes and if they were being addressed with these recent amendments.

Mr. Guillen referred to what the five questions were about and addressed each one:

1. Extreme weather, how are they going to determine the temperature? If was a criminal conviction, it would need beyond a reasonable doubt, burden of proof. With a civil citation, that high of a standard is not necessary. He thinks the officers would carry a thermometer of some sort.
2. Entering private property, which was discussed.
3. Civil citations, how is the money collected? The way it is currently collected, if they don't pay, then they go to collections.
4. Can a pet owner be held responsible for three or four years for a violation, as opposed to one or two years? That is a policy question that Councilor Lindell will have to decide if she wants to keep that timeframe or make it a shorter time frame.
5. Would getting rid of trolly system result in more animals being sent to the animal shelter? He doesn't know the answer to that question, and he doesn't know that anyone could answer that.

Chief Padilla asked if Chris Smith, Animal Services Supervisor, to come forward to address how a civil citation will be issued and what type of device will be used to monitor the temperature below 32 degrees or above 90 degrees for extreme weather conditions.

Officer Smith said currently all they have is a laser that measures the temperature. Regarding civil citations, he said currently they don't issue civil citations so he can't speak to that, they currently only issue criminal citations.

Chair Rivera asked Officer Smith if the changes are going to help the officers.

Officer Smith said the changes are complicated.

Member Tapke asked if the concerns addressed by this legislation are serious problems in the city of Santa Fe.

Officer Smith said, "no they're not". They do get a lot of calls in the winter relating to animals being outside and animal wellbeing. Regardless of the temperature, they always go out to do welfare checks. He said these are not dire circumstances in the city.

Member Tapke asked if this legislation were enacted last year, how many animals would have been taken into custody over the course of 2019. Or how many citations would have been issued.

Officer Smith said that's hard to guesstimate, but with the extreme weather in there, he would say a considerable amount of citations would have been issued, especially in the winter.

He said with the abolishing of the trolly system, he's already anticipating dogs running at large, and other issues will arise. People use trolly systems in their yards, because they don't have fences. The trolly is a low-income system because people can't afford to put up a fence or if they're renters they can't put up a fence.

He said civil citations that aren't paid would go to collections. Now, people pay because they don't want to go to Court. With civil citations, he doesn't see that happening.

Member Harris asked if the trolley system is dangerous for animals.

Officer Smith said he does not, if finds it quite helpful. Animals that have been deemed dangerous by the City or the judge use the trolly system to keep their animals secured in the yard so as not to have any further incidents.

Member Joyce asked if there's any option to revisit the item about entering private property without supervision. Everything else in the bill is great, except for that. It reminds him of a Fourth Amendment problem.

Chair Rivera said they could ask Mr. Guillen to speak with the sponsor to see if she'd be willing to that and to see if there are any Constitutional issues with that.

Member Joyce said "amend", not "remove". He understands if they have to go in and save the animal, if that's the case. His other comment is that everyone has a cell phone. The National Weather Service would tell what the temperature is at that time.

Chair Rivera said they'd send that request back with Mr. Guillen for the sponsor. He asked if the Committee wanted to take a stand this or send it forward without a recommendation.

MOTION: Member Harris made a motion to reject the bill. The motion was seconded by Member Joyce. Motion passed by roll call vote with Members Harris, Joyce, Mizrahe, Owen-Lewis and Tapke voting "aye" and no members voting "no".

ii. ~~CONSIDERATION OF RESOLUTION NO. ____: A RESOLUTION REPEALING RESOLUTION NO. 2004-43 THAT ESTABLISHED LICENSING AND PERMIT FEES, FINES, AND PENALTIES FOR VIOLATIONS AND OTHER CHARGES RELATING TO ANIMAL SERVICES. (Councilors Lindell, Vigil Coppler, Abeyta, Villarreal) (Jesse Guillon, Legislative Liaison, jbguillon@gmail.com, 955-6518; Christopher Smith, Animal Services Supervisor, eesmith@santafenm.gov, 955-2702)~~

B. REQUEST FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF \$86,000.00 FOR EVIDENCE MANAGEMENT SOFTWARE: EVIDENCE ONQ. (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 505955-5040)

Deputy Chief Valdez said the Santa Fe Police Department commissioned an independent review of the Department's evidence processes. The review provided a recommendation to have standalone evidence management software to properly manage the evidence maintained by the Department. The software will bring the Department in line with industry standards for evidence management.

The Police Department is requesting the approval of a Professional Services Agreement with Evidence ONQ to provide and implement the evidence management software.

The software would allow them use a barcoding system to track the evidence.

Member Tapke asked about the two companies that were evaluated. If cost is left out of the equation, would ONQ have been selected.

Deputy Chief Valdez said yes.

Member Tapke asked if the Police Department would prefer to use Radio frequency identification (RFID) as opposed to barcoding of evidence.

Deputy Chief Valdez said if money weren't an issue, he would consider that. At this point they are trying to modernize what they have right now to get them to the point of accreditation.

Member Tapke said if RFID is a way to go, he'd like to see a proposal for that.

Member Tapke asked how the data from the old system will be migrated to the new system.

Deputy Chief Valdez said part of the services of the agreement include migration of the data from the AS400 to the new system.

Member Joyce asked if the contract includes training, commissioning and support.

Deputy Chief Valdez said the first year includes setting up the software, training personnel, the migration of the data; it's going to be as close a turnkey as possible.

Chair Rivera asked if the Police Department has worked with IT to ensure they can support in the event there are issues or problems.

DC Valdez said yes, IT has looked at the proposal and the software and they will provide the necessary support for this initiative.

Member Tapke said he's concerned that there may be a better strategy out there. He understands the urgency in getting the software and beginning what's going to be a very lengthy process of converting to a new system. He was concerned that this is an extremely important function, and this hasn't been approached from a perspective of what's the best strategy for the Police Department. He understands they can't spend \$10,000,000 on this system, but it's not known if there's a reasonably better system that's not much more expensive and it's probably where they should be headed.

Chair Rivera asked if there was an opportunity to look at other systems.

Deputy Chief Valdez said they looked at two softwares, but it was mostly for the barcode system. He said he'd be more than happy to ask the company what the cost difference would be between barcode and RFID. There's an urgency to get the ball rolling. They didn't explore RFID because they were told it would be too costly.

Chair Rivera asked about the cost estimate is of getting an accredited evidence room.

Deputy Chief Valdez said the major items include \$95,000 for a camera/security system; \$250,000 for shelving; \$15,000 to \$20,000 for accreditation; the evidence software for \$86,000; and \$36,000 for the temporary holding room.

Chair said asked about the additional staff.

Deputy Chief Valdez said they are adding four additional staff which is about \$400,000+/- per year. Those positions will support the needs of the department.

Chair Rivera asked him to look into the RFID information and follow-up with an email to the Committee.

Member Mizrahi asked if it was known how much the Council was going to approve as far as funding.

Deputy Chief Valdez said the funding can be identified in the current budget. They just need to provide compelling information to the Governing Body that identifies the need.

Member Harris asked if the new personnel are going to be sworn officers.

Deputy Chief said the additional four personnel will be civilians.

MOTION: Member Harris made a motion to recommend approval. The motion died for a lack of a second.

Member Owen-Lewis said she understands that this has to be done fairly quickly. But asked if staff could provide more information so that the Committee could make an informed decision.

DC Valdez said, "the train is going down the tracks". So, they're set for Public Works Committee review on Monday, February 24th and Council on February 28th. He can provide follow-up on the cost difference between RFID and the barcode scanner. The software is the cornerstone of the whole project.

Chair Rivera asked if this had already gone before the Finance Committee.

Deputy Chief Valdez said yes.

MOTION: Member Harris made a motion to recommend approval. The motion was seconded by Member Owen-Lewis. Motion passed by majority voice vote with Members Harris, Joyce, Mizrahi and Owen-Lewis voting "aye" and Member Tapke voting "no".

Chair Rivera told Deputy Chief Valdez that the information requested, would still be helpful.

C. REQUEST FOR THE APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT IN THE TOTAL AMOUNT OF ~~\$93,987.93~~ \$95,396.06 FOR SECURITY SYSTEM, ALARM, AND ACCESS CONTROL UPGRADES: HEI, INC. (Deputy Chief Ben Valdez, bpvaldez@santafenm.gov, 505-955-5040)

Deputy Chief Valdez said the Santa Fe Police Department commissioned an independent review of the Department's evidence processes. The review provided a recommendation to make security and access control improvements to evidence storage areas. The request is for the purchase of camera, security and alarm system, including installation. The identified improvements will bring the Department in line with industry standards for evidence management.

Chair Rivera asked if this has already been through one committee.

Deputy Chief Valdez said it has been through the Finance Committee.

Member Tapke asked if IT has accommodated the video storage that this system is going to entail.

Deputy Chief Valdez said they've been working closely with IT and IT will provide support is on this project.

MOTION: Member Tapke made a motion to recommend approval. The motion was seconded by Member Mizrahi. Motion passed by unanimous voice vote.

PRESENTATION

A. POLICE FOUNDATION REPORT/EVIDENCE ROOM CONCERNS UPDATE (Ben Valdez, Deputy Chief of Police, bpvaldez@santafenm.gov, 955-5040)

Evidence Room Update

Deputy Chief Valdez said they received the summary review of the Police Evidence Room in January. The review is attached as Exhibit "2". The review was provided to the Governing Body and the local media.

Deputy Chief Valdez said the Police Department prioritized the items in the review. He explained those to the Committee.

Deputy Chief Valdez said he wanted to dispel a rumor and that was that it was reported that these items came to light because of the Valencia case. This project did not start then. To be clear this project started in August of 2018. Deputy Chief Robert Vasquez did an assessment of the evidence system and suggested that the Police Department evidence system be improved. In 2019 the Police Department commissioned the independent audit. It was the Police Department that put the ball in motion because they do want to improve. The Police Department wants the community to have confidence in the management of evidence.

Member Tapke asked if a matrix has been developed based on the findings and recommendations on the audit.

Deputy Chief Valdez said they developed a corrective action plan which prioritized the items in the audit. He said he'd be happy to share it with the committee. He also said they want to be able to check the box on each item because that will help with attaining accreditation.

Chair Rivera said on page 2 there is a reference to a policy that was dated 2004. He asked if that meant the policy hasn't been updated since then.

Deputy Chief Valdez said "yes" and those are items they are looking to update.

Chair Rivera asked whose responsibility will it be going forward to make sure the policies are kept updated.

Deputy Chief Valdez said there is currently a lieutenant who is assigned to policy development.

Member Tapke said he would like a copy of the plan in next month's mailing. He said given the complexity of the findings, he felt a matrix would be helpful.

Chief Padilla applauded the hard work of Lt. Strahan and evidence room staff.

Chair Rivera said he appreciates the ownership and all the hard work that's been put into this.

Member Joyce congratulated the Police Department for addressing this head on, with the amount of labor they don't have. He asked how many vacancies there are.

Chief Padilla said there are 31 vacancies and next week another officer will be resigning, so there will be 32 vacancies. They are scheduled to hire 13 police cadets in May, and they'll go into the Law Enforcement Academy in July.

Police Foundation Report

Deputy Chief Valdez said they began negotiations with the Police Officers Union in December. They are using recommendations from National Police Foundation for recruitment and retention. The pay increase from last year helped quite a bit with retention. They are also going to implement a mentorship incentive. If a police officer finds someone, whether they're going to be a police officer or lateral, they bring them in and mentor them. When that person comes off probation, that officer is going to get an incentive for doing that. That will also help with recruitment.

He said once the Police Department is fully staffed, they want to do national workload staffing analysis, not only for sworn officers but for non-sworn personnel, as

well. They want to be able to determine what the right fit for the City is and what is the right number of officers. The way a community is served varies from jurisdiction to jurisdiction. It's not based on what the population is, it's based on the work request from the Police Department.

They also had a temporary assigned recruiting officer to assist with onboarding additional personnel. Officer Amanda Esquibel did an amazing job. She updated a lot of the handouts. She recently traveled to El Paso with a team of three to recruit in El Paso. They got people from the military and officers that want a lateral from that area that they received interest cards from.

In addition, they've increased the number of testing opportunities that are given per month. There is one Saturday monthly testing. Once the test is taken and there's a portion that is not passed, the candidate can retake that portion of the test.

There were items that they could not address that were recommended in the Police Foundation Report such as adding additional civilian staff or identifying civilian positions were limited by the budget. They are going to put those in the 2021 budget request. Some of those positions include the crime scene technician positions. Right now, there are two sworn officers in those positions. If civilians are added, then the two sworn positions could get back to the street.

The recommendations from the Police Foundation have been helping the Police Department develop a strategy for next fiscal year. Also, with trying to together a marketing strategy. They also came up with a recommendation to put together a brand. Officer Jesus Rodriguez who is active with recruiting said other agencies have a recruiting decal on their vehicles. He suggested that that be done in Santa Fe. So, they are adding a decal to all the marked fleet vehicles. It has the catch phrase "Join our Team". We are a team and we've learned that because of the challenges they've had with staffing.

Deputy Chief Valdez said the Police Department has a great staff and he's very proud of them. He stood for questions.

5. Matters from Police, Chief Andrew Padilla

Chief Padilla asked Deputy Chief Paul Joye to come and talk about the intel gathering portion of Operation Downtown Focus and kicking off the long-term plan of the return of the pedal bike officers.

Deputy Chief Joye said Operation Downtown Focus will start on February 22nd. Seven days a week, there will be coverage on the Plaza as well as the Railyard Business District, from 9 in the morning until 7 in the evening. There is a fully staffed bike team as well as two public service aides who will be assisting. They will be enforcing zero tolerance for criminal activity. They want to make sure that the folks visiting, working and living in those areas feel safe because of the police presence. Hopefully, they can move forward and make an impact in the area.

Chief Padilla asked Captain Champlin to highlighted some of the great work that some of the officers have done.

Captain Champlin highlighted three cases. The first case had a quick and safe ending. Multiple officers responded on February 12th about 1:49 in the afternoon. They responded to the Sunrise Café. They responded to a fight call. It was reported that one party was armed with a handgun. As the officers arrived, the male had already left. Their first concern was where was he going and whether he could hurt anyone else. They determined that male got into a fight with the victim who works at Sunrise. The fight was over a female. During investigation officers were able to conduct a thorough background very fast. They found contact information for the male who was ultimately taken into custody. After a search of the area, it was determined that the handgun was an air gun. The reason he had fled was because the other male had a knife. It took less than an hour to get that under control.

The second case is an excellent example of teamwork by Officer Luis Ruiz who is a new officer and his Sergeant, Charles Laramie, who is a new sergeant. The officers responded to a trailer in the area of 6151 Airport Road. The call was regarding a male who had unlawfully entered a home with a knife. Upon arrival, the officers learned that the suspect fled. They learned that the suspect was banging on the door at 3:30 in the morning on February 8th. The female answered the door, the suspect demanded her son. The homeowner reported that the suspect was under the influence of drugs. The suspect presented the knife and forced himself into the home and went to look for the son. The female screamed out that she was going to call the police. Luckily, this spooked him, and he left the house. He went around to the son's bedroom and stabbed the trailer several times and broke the window to the bedroom. Sergeant Laramie recognized the description of the male that was given. He was able to work with Officer Ruiz who was supported by his senior officers who work with him. Officer Ruiz was able to put together a photo array which was presented to the victim. She was able to positively identify the suspect. They were able to get an arrest warrant issued for aggravated burglary. This case was highlighted because a photo array and arrest warrant are usually not things that are done by a newer officer. The sergeant was able to guide him so he could bring quick closure to the case.

The third case is the patrol/public safety case of the month. On the afternoon of January 31st, Officer Jesse Campbell was dispatched to the overpass on St. Francis over St. Michael's in reference to a female who was standing on the exterior of the guardrail. The female appeared to be in distress as she was attempting to jump off the bridge. An ambulance beat police there and was parked underneath the female in case she jumped before the officers got there. As Officer Campbell arrived, he noticed female was holding on to the rail with one hand. Within seconds Officer Campbell and an unknown citizen were able to hold on to female's arm and pull her back over the guardrail. The citizen came unknown and left unknown. Once the female was secure, she revealed she was released from the hospital. Officer Campbell was able to calm her down and with the assistance of other officers, get her to the hospital to get her the mental health care she

needed. Had it not been for the citizen and the officer teaming up, that female most likely would have lost her life.

Chief Padilla thanked Captain Champlin for his hard work.

6. Matters from Fire, Chief Paul Babcock

Chief Babcock said that yesterday, February 17th, was the first day of their 33rd Fire Academy, which is an 18-week program. He hopes for success of for the 19 cadets.

He said the week of February 24th will be the annual FAA Airport inspection.

Talking about teamwork, the day before a member of the community went into cardiac arrest at the GCCC while in the swimming pool. The lifeguards started CPR immediately and when paramedics arrived, they were able to gain the pulse back and get this individual to the hospital.

He talked about the cooperation between the Parks Division, Safety Office, Fire Department and Southwest Care. This week they will be going around and installing kiosks where people can dispose of their hypodermic needles. The Fire Department will take care of the collections. This will be at five locations throughout the City. They are requesting additional funding for next fiscal year so that these can be installed at additional locations.

Member Tapke asked for an update on the apparatus and positions.

Chief Babcock said in this fiscal year, they have received two new units. In the near future, additional requests will come before the Committee.

Member Joyce asked about Fire Station #2.

Chief Babcock said the bid will go out on March 1st. Five contractors have been prequalified. They are hoping to break ground at the end of April or early May with a 13-month completion.

7. Matters from the Regional Emergency Communications Center, Vanessa Marquez.

Chair Rivera recognized that Ms. Marquez was there but had left.

8. Municipal Court Report

Chair Rivera said the reports was in the packet.

9. Communications from the Floor

None

10. Matters from Committee Members

Member Owen-Lewis said she received a memo from Tim Maxwell who is an officer with the Historic Santa Fe Foundation. He asked if the fire hydrant at 545 Canyon Road could be moved because pedestrians must step out on the street to walk by the hydrant and it is dangerous because cars pass by on a steady basis. She said back in October she did forward the request to Councilor Rivera and the City was very responsive in getting back to her. Shannon Jones from the Water Department had gone out there to look at it and recognized the safety issues.

She showed a picture of people walking on the street which is attached as Exhibit "3". She asked if there was anything that could be done.

Chief Babcock said he also went to the site. He said the it would be costly to move it. The hydrants are installed by the Water Division. A lot of things come to mind that have to do with NFPA standards of distances to how much hose the fire trucks carry. The Fire Department doesn't have any opposition to relocating the hydrant. It is a decision that has to be made by the Water Division because it is one of their utilities.

Member Owen-Lewis said that Mr. Jones had mentioned that they had moved another fire hydrant and the cost to do that was \$17,000. She wasn't sure who bore that cost.

Member Joyce brought up stop sign at Villa Verde and Jaguar, he asked that the City take a second look at that. He did get a response from John Romero. He doesn't understand the warrants, but he would like the City to take a second look at that. He believes it's a safety issue.

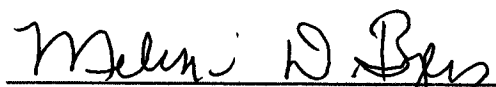
11. Adjournment

Chair Rivera adjourned the meeting at 6:10 p.m.

Approved by:

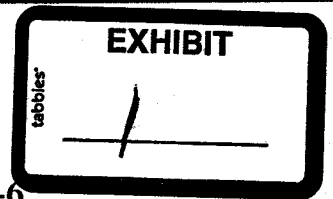
Submitted by:

Chris Rivera, Public Safety Chair



Melissa D. Byers, Stenographer for
Byers Organizational Support Services

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-6
Animal Services Amendments



Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2020-6:

1. On page 21, line 12.5 *strike* "or criminal conviction"
2. On page 21, line 13.5 *strike* "or criminal conviction"
3. On page 21, line 14.5 *strike* "or criminal conviction"
4. On page 21, line 14.5 *strike* "and/or up to ninety (90) days in jail"

Respectfully submitted,

Signe I. Lindell, Councilor

Approved as to Form:



Erin K. McSherry, City Attorney

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk






2020-6 Animal Services Amendments (Lindell Amend)

Final Audit Report

2020-02-18

Created:	2020-02-18
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAVCrp6IMCKrx_n6gZnqmdDIELDwZtW-h

"2020-6 Animal Services Amendments (Lindell Amend)" History

-  Document created by Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
2020-02-18 - 8:24:24 PM GMT- IP address: 63.232.20.2
-  Document emailed to Erin McSherry (ekmcsherry@santafenm.gov) for signature
2020-02-18 - 8:24:53 PM GMT
-  Email viewed by Erin McSherry (ekmcsherry@santafenm.gov)
2020-02-18 - 9:07:02 PM GMT- IP address: 63.232.20.2
-  Document e-signed by Erin McSherry (ekmcsherry@santafenm.gov)
Signature Date: 2020-02-18 - 9:24:35 PM GMT - Time Source: server- IP address: 63.232.20.2
-  Signed document emailed to Erin McSherry (ekmcsherry@santafenm.gov), ccsmith@santafenm.gov and Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
2020-02-18 - 9:24:35 PM GMT

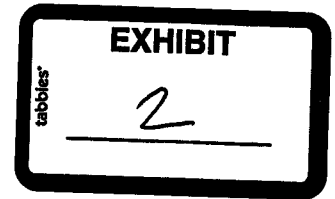


Adobe Sign



January 3, 2020

Lieutenant Sean Strahon
Santa Fe, New Mexico Police Department
2515 Camino Entrada
Santa Fe, NM 87507



Subject: Review Summary of the Santa Fe Police Department Evidence Unit

Background

In April 2019, Lt. Sean Strahon contacted SCS Northwest Consulting Services, LLC (SCSNW) regarding IAPE Accreditation. A proposal was drafted and forwarded to him. In July 2019, Lt. Strahon recontacted SCSNW to discuss how Santa Fe PD could best prepare for accreditation, and further information was given.

On September 3-5, 2019, Stephen Campbell, Owner and Principal of SCS Northwest Consulting Services, LLC, toured the Santa Fe, New Mexico Police Department Evidence Unit as a consultant to review the current processes, policies and procedures used to collect and manage property and evidence. The following is a review of that visit.

I met with Lieutenant Sean Strahon, Administrative Lieutenant of the Santa Fe, New Mexico Police Department, and manager of the Evidence Unit. We discussed his expectations of the review, and the expectations of the police department. I was given copies of the policies and procedures for the Department related to the Evidence Unit and general requirements for the receipt, documentation, and handling of property and evidence. We also discussed a recent homicide case currently being prosecuted that had evidence missing/misplaced.

Observations During the On-site Visit and Review

I viewed the Main Evidence Room in the police facility, as well as the Narcotics and Firearms Vaults. I toured the Huey off-site location where some long-term evidence is stored, as well as the Solace Facility where some sexual assault kits are stored temporarily, and victims of sexual assault may initially be examined to obtain evidence of their case. "See photos"

I viewed the 2 Packaging Areas where personnel have access to packaging materials and forms for their use in preparing items and documentation currently needed for entry of their property and evidence into the Evidence Unit. "See photos"

With the two current locations used to store property and evidence, the department has an inflated inventory due to several factors. These factors include are the following, and recommendations are noted to address the factors:

1. There is insufficient staffing of the Evidence Unit to manage the intake, disposition and processing of digital evidence, to include the handling of eDiscovery motions
2. Evidence Unit personnel are tasked with entering property and evidence into the software and the paper records rather than the Officer or other personnel who book the property



- and evidence in. Best practice has the booking Officer enter the data, and this data becoming the foundation for all actions and management until final disposition
3. No Case Reviews are done by Detectives and other personnel assigned as lead investigators. This allows the inventory to rise to unmanageable levels with the current number of personnel in the Evidence Unit
 4. There is a lack of regular and consistent notifications sent to the Evidence Unit by the City Attorney, County Prosecutors and the Court related to case dispositions
 5. Decisions are currently being made by the Evidence Unit to retain evidence for periods longer than needed
 6. The Department's AS 400 software does not manage property and evidence per best practices; the department needs to use the new software, One Solution, to its best capabilities. If One Solution does not best manage the property and evidence, a standalone software system is recommended that will integrate with One Solution
 7. The Evidence Unit does not use evidence software to document all transactions and releases, temporary and final
 8. Production of digital evidence requests by the Prosecutor's Office has taken away time from other critical processes needed to best manage the Evidence Unit

Review of Santa Fe Police Department Policies

I reviewed the policies and procedures currently in use by the department. The following are my comments on the current policies listed below:

Policy 51.1 Collection and Preservation of Evidence Dated 07/23/04

Policy 52.1 Evidence Management Dated 05/15/17

Both policies do not sufficiently outline policies, procedures, best practices and operations to manage the Evidence Unit to meet IAPE Standards or best practices in the industry.

Policy 51.1 Collection and Preservation of Evidence

- 51.1.05 A States perishable items should be stored in the evidence refrigerator. Although the New Mexico State Crime Lab does not require blood, urine or sexual assault evidence to be refrigerated, there may be other evidence that does require refrigeration. Currently, the Evidence Unit has no refrigeration units should this demand be needed (e.g., a poisoning case where food needs to be secured for forensic analysis and prosecution). A small refrigerator/freezer should be added to the facility.
- 51.1.07 35 mm cameras are still listed in the policy, but nothing noted on digital photography evidence. Update is needed.
- 51.1.13 "Information on the evidence tag is the record of chain of custody". The chain of custody needs to be recorded in the evidence software for best management. Change is required.



Signatures should be required from those who transfer and receive evidence that is moved from the Evidence Unit. Signed receipts meet this requirement, with documentation in the evidence software. This includes transfers of evidence to/from the prosecutor's office, the court, and the lab.

- 51.1.14 Ensure copies of the Evidence Tag are given to all finders of Found Property, and those from whom Property for Safekeeping is received. This is policy, but the practice of giving the receipt may not be occurring.
- 51.1.15 Ensure new Officers are receiving training related to the collection and handling of evidence as required in policy. Section C of this policy requires "In-service training" for investigative personnel on crime scene processing. Ensure this is being done to assist in the amount of evidence coming in, and include the CSIs and the New Mexico Crime Lab in this training as instructors.

Policy 52.1 Evidence Management

- 52.1.02 Found Property should be submitted into the Evidence Unit without a supervisor's approval.
- 52.1.07 Not all property and evidence is documented in the department's software. All items must be documented in the computer software from initial entry to final disposition.

Add department policy to subsection "E".

- 52.1.08 Subsection A is not being adhered to. See 52.1.07
- 52.1.09 Case Officers are not tracking evidence signed out to another agency as required by current policy. Permission should be granted for temporary release, and the evidence returned within a stated timeframe per department policy, and tracked by the Evidence Unit.
- 52.1.11 Verify all evidence being submitted to the New Mexico State Crime Lab is being submitted within the required 24 hours as per policy. If the timeframe needs to be changed, change this in the policy and adhere to it.
- 52.1.12 CSIs are not noted in the policy. Revise policy as appropriate.
- 52.1.13 Supervisors are not always approving and initialing evidence submissions. Policy is a sound practice, but the policy is not being followed.

Verify all narcotics are submitted into a "narcotics locker" as stated in policy. Best practices allow most drugs and narcotics to be submitted into general lockers if they meet security and hazardous materials storage standards.



Verify checked-out evidence by Detectives and other personnel is secured in a location that is, per policy, secured to eliminate tampering/cross-contamination, and theft. No checked-out evidence should be secured in desks, cars (unattended by the Officer checking out the evidence), personal lockers, etc. See IAPE Standards on this issue.

52.1.14 Evidence in Drying Lockers is not secured.

An Evidence Cleaning Log with cleaning instructions needs to be instituted and located at the Drying Lockers. Procedures need to be followed to comply with best cleaning practices. Contact the New Mexico Crime Lab for guidance and the NIJ/NIST Guidelines titled *The Biological Evidence Preservation Handbook: Best Practices for Evidence Handlers*

52.1.15 Marijuana needs to be documented as any other drug/narcotic is documented.

Calibration of all scales needs to be done annually by a certified agency/business, and the calibration documented, recorded and retained by state statute for evidence records.

Document where hazardous materials such as "sharps" can be discarded by all personnel (not the final destruction site) and ensure the sharps containers are maintained in a professional process and manner.

52.1.16 Not all drugs/narcotics are stored in the Narcotics Vault. Items from the Drug Drop-Off Boxes are open to viewing and potential theft in the Evidence Office. This needs to stop immediately.

The Chain of Custody noted in this section must include all personnel and agencies that receive property and evidence. This includes, but is not limited to, the CSI Unit, the Court, and the Prosecutor's Office.

52.1.17 Verify all jewelry, excluding costume jewelry, is stored in a designated area for jewelry as per policy.

52.1.18 Firearms should not be stored in paper bags only. Revise current policy. Use gun boxes to best protect and store firearms to preserve evidentiary value.

Revise policy to provide safer storage of ammunition. See IAPE Standards.

Consider the use of *eTrace* and *NIBIN*, and document the use of these resources in the proposed Packaging Manual and General Orders.

52.1.20 Consider the "2 Person Rule" for money counting to include 2 personnel, not just by the booking Officer and a Commander.



Consider using envelopes with denominations printed on the outside for better accuracy in the count, along with software that calculates the money when denominations are entered.

Revise current policy to mandate money be submitted by the end of the shift when money is received, not when the Evidence Unit is open. Consider a drop-safe for immediate securing of money for best security when not submitted directly to the Evidence Unit staff when available.

Add the Case Officer to the list of personnel involved in the authorization of the return of money associated with cases.

52.1.21 All vehicles listed as evidence need to be tracked and managed by the department software for evidence, and this requirement documented on department policy.

52.1.22 Add department policy to subsection "A5".

52.1.23 Add department policy to subsection "A".

52.1.24 Require the use of a subpoena or supervisor's approval for all releases of evidence related to court hearings

Add department policy to subsection "B".

Final dispositions of evidence 6 months after case disposition are not being done as per policy. See IAPE Standards for best practices in Case Reviews and tracking and management of property and evidence.

Drugs/narcotics and firearms are not being disposed of in a timely manner as required by department policy.

52.1.25 Inspections per department policy have not been done until recently. This is a requirement to help ensure accountability and best operation of the Evidence Unit. Continue the inspections. See *IAPE Property and Evidence Room Accreditation Comprehensive and Supervisory Audit Guidelines* attached to this report

52.1.27 Inventories are not being done per department policy. Develop protocols to see inventories are done after the proposed initial purging is completed.

General Recommendations

I recommend steps be taken without undo delay to correct the current staffing levels, to include temporary staffing in addition to fully staffing the Evidence Unit to reduce inventory levels to reasonable levels (priorities noted in the *Santa Fe, New Mexico PD Pre-Audit Review Notes*)

The major issues in best case management include:



1. Regular Case Reviews by investigating personnel, and prompt action on the returns of the Case Reviews
2. Migration of property and evidence documentation into one system (*One Solution*) rather than two (AS 400 and *One Solution*). The goals are to get the Officer and Detective back to other field and investigative duties, while still giving the department stats and entries in the department's RMS, and better digital documentation for the Evidence Unit.

I recommend outlined tours of the Main Evidence Room in the police facility for the City Attorney, and the Santa Fe County Prosecutor, and the Chief Court Magistrate. Giving the colleagues in the criminal justice system an opportunity to see the issues, and see the issues and see and hear the recommendations to correct the problems, will lead the better evidence management for all parties. Allowing Magistrates an opportunity to see what the inflated inventory looks like, and why there is a need to manage the inventory more efficiently, will pay dividends for all parties in the courts. It will also be an opportunity to explain how their support will be beneficial to get the court clerks involved in providing court dispositions in a regular and timely manner to the Santa Fe Police Department Evidence Unit. These dispositions could be in either hard copy or electronic format (preferred).

Training for new employees, or employees reassigned as Investigators (assigned to the Detective Bureau), is recommended. A couple of hours spent by new Officers in the Evidence Unit will pay dividends by reducing the amount of returns through the IAPE recommended "Right of Refusal".

A Packaging Manual needs to be drafted, approved for use, and trained on. It needs to address the most common types of property and evidence found in the field. Include photos and descriptions that are easy to follow and understand.

Department policies related to property and evidence need to be updated as soon as possible, and Packaging and Property Room Manuals developed and in an electronic format. The Packaging Manual should be in a digital format for use throughout the entire department (in patrol cars and department computers).

Santa Fe, New Mexico PD Pre-Audit Review Notes

Priorities and Timelines for Evidence Unit Improvement Project

1=complete in 6 months

2=complete in 12 months

3=complete in 18 months

During the review process, the following issues and items were noted. Where applicable, timelines for recommended changes and recommended timeframes for making the changes are noted.

First Day Tuesday September 3, 2019

Notes: The Evidence Unit is composed of Rich, Ron (2nd person in the Evidence Room), Ken (Digital Evidence only - 3rd person in Evidence Unit), and Eric, the Fleet Manager assigned to the Vehicles and Long Term Evidence stored at the "Huey Lot". The Santa Fe, New



Mexico Police Department has 173 sworn, and 56 civilian staff, for a total complement of 229 personnel.

- 1 *AS 400* is the current software. This system is scheduled to be replaced in October 2019 with *One Solution* software. This is the new RMS software. Lt. Strahon does not know if the evidence section of the *One Solution* software will meet best practices to manage the evidence. *One Solution* will migrate *AS 400* cases from 1980-present. Lt. Strahon will verify this migration can be done.

"*Tracs*" is the report writing program Officers use. *One Solution* will migrate *Tracs* into their software.

Recommended solution:

1. Ensure *One Solution* meets all the needs discussed during the consultant visit and as outlined in the IAPE training for best efficiency of a Property and Evidence Unit.
 2. If *One Solution* cannot meet SFPD needs to manage the items in the current inventory and in *AS 400*, move to a stand-alone evidence management software that is compatible with *One Solution*. There is additional cost in this, but professional evidence management is key to moving SFPD ahead in this area.
 3. Ensure the migration of old evidence is done in either *One Solution* or stand-alone software. You need to manage and purge old evidence, and the migration of information is needed to do that.
- 1 Begin to reduce the current property and evidence inventory level to manageable levels, and maintain these levels long-term.

Recommended solution: Agree internally that the department needs to reduce the current inventory by purging all misdemeanor cases past the statute of limitations based on state statute, 30-1-8, (Statute of Limitation for filing a misdemeanor case). If agreed to, have an on-site meeting at the PD to include the Chief Prosecutor, City Prosecutor, Chief Judge of the Municipal and Magistrate Courts, the Police Chief, and the Evidence Unit personnel. Show the need by viewing the inflated inventory in the Evidence Room. An estimated 40% of the inventory could be purged in this action, and allow for better property and evidence storage and management in best practice manner.

- 1 Develop and enact a contract with the New Mexico State Police to do drug and firearm destructions.

Recommended solution: Develop and agree to contracts to do drug and firearm destructions for current inventory that is "ready for destruction". Perform these destructions in the first 30 days of this project. An option for firearm destruction is the use of *Gunbusters* as a firearms destruction process.

- 1 Currently all evidence is placed on an "Evidence Tag" which is really an Evidence Sheet. Determine what can go on barcodes and what barcode is attached to. Every item has to have a barcode kept in case number order.



Recommended solution: Develop Property Tags for use on items where a barcode cannot attach directly to an item. Place barcodes on items with a Property Tag, and "mirrored barcodes" on "Convenience Packaging" for faster and more efficient inventories.

- 2 Items are not stored in case number order. They are stored by month and year. Boxes are labeled with the month and year, and envelopes are thrown into the box associated with the date the item was submitted. This has items in stored random order, and not secured with items booked in with the same case number, when submitted in a different month. This is not best practice to manage property and evidence in an efficient and professional manner.
Recommended solution: Reorganize the property and evidence within 1 year to get items in case number order, and stored in bins/trays to give organization to the storage. Do misdemeanor purge first then the reorganization.
- 2 There is no area strictly for homicide, sexual assault, and other critical case evidence.
Recommended solution: Work with the New Mexico State Crime Lab on the best temperature and humidity setting for proper storage of homicide, sexual assault and other items with DNA using their requirements. Attempt to store these items in one long-term location. This is to be done during the reorganization of the Evidence Unit storage areas.
- 1 Inflated drug evidence needs to be addressed. Drug evidence in the current inventory goes back to at least 1997. The last drug destruction was "a few years ago".
Recommended solution: Drug destructions need to be done on set timelines or when a set amount is reached; for example, destructions are set for every 6 months or when the amount of drug evidence reached "a reasonable number as outlined by department policy".
- 1 Drug destructions processing needs to be done as soon as possible.
Recommended solution: Do initial drug destructions within the first 30 days following the acceptance of this report and department review. After the initial destruction, do quarterly destructions (see paragraph preceding this one for information). Do not allow procrastination or "we are too busy" to deter from these destructions.
- 3 The Santa Fe County Jail will not store backpacks associated with in-custodies at their facility. These backpacks are not being adequately inventoried by the Officer/Detective bringing them in with arrestees. The Evidence Unit is finding evidence not recorded from these items in the initial description of property secured.
Recommended solution: Work with the Patrol Division on getting Officers to do required thorough inventories of backpacks through in-house department training, education on the use of PPEs, and strong line supervision monitoring and requiring best handling of these items.
- 1 The timeframe for storing both Found Property and Safekeeping per Rich (senior Evidence Technician) is 90 days. Evidence Unit staff did not know the statute for this timeframe. The Evidence Unit Team doesn't know state statutes for crimes as well.
Recommended solution: The Evidence Unit needs education and guidance on the use of statutes of limitations on criminal offenses, as well as statutes relating to Found Property



and Property for Safekeeping. These statutes should be the guiding timelines for retention of property and evidence, and be "attached" to property and evidence when it is documented upon entry by the booking Officer (preferred), or upon receipt or the staff receiving the items into the Evidence Unit.

- 2 The Evidence unit staff are not certain about the DNA retention statutes for New Mexico. Recommended solution: DNA retention statutes and federal guidelines related to DNA retention need to be known by the Evidence Unit. This will require training by knowledgeable staff within the department.

HR 5578, *Survivors' Bill of Rights Act of 2016*, is a federal guideline to use related to sexual assault evidence. *EndtheBacklog.org* is an excellent resource for state statutes related to sexual assault and other sexual assault information.

- 2-3 There are no cameras or alarms in the Evidence Unit rooms/vaults. Recommended solution: Purchase and install alarms and recorded cameras without delay. Consider using *Evidence.com* (Axon) as this vendor is being proposed for body and car camera recorders, and the price may be reasonable using this vendor for these items when bundled with other purchases.

Storage Temporary and Long-Term

Metal and plywood shelving is used in all the evidence rooms. This meets IAPE Standards and best practices.

Recommended solution: No changes required

- 1 The current Temporary Lockers need better security.
 Recommended solutions:
 1. Replace all padlocks on the Temporary Lockers with professional locks from a reputable vendor. These locks need to have strong security that limits breaching, and allow the use one master key for unlocking by the Evidence Unit staff.
 2. Chain these new locks to the lockers to deter easy unauthorized lock removal/replacement.
 3. Install security cameras focused on the lockers from the entry side and the receiving side.
 4. Add a camera into the false ceiling above the temporary evidence lockers on the first floor.
- 3 4. Eventually change out lockers to pass-thru lockers, and place them in the Report Writing Room/Packaging Room for best operational efficiency.
- 1 The Evidence Unit and rooms within are in the Basement, and there are numerous keys outstanding that allow elevator access to the Evidence Unit level.
 Recommended solution: Within the first 30 days of receipt of this report and review by the department, change the keycode that allows access the Basement for all personnel not assigned to, or responsible for, the Evidence Unit.



- 1-2 IPRAs (Inspection and Public Records Act) and Discovery Requests from the DAs Office take almost 45-50 hours a week (with overtime) for Ken to complete. This is in addition to 20 hours a week for Ron, and 10 hours a week for Rich. This is approximately 80 hours of work in this area each week, with 1 person brought on board for this duty (Ken) 40 hours a week, and 30 hours a week between Rich and Ron to assist. This takes approximately 30 hours a week from property and evidence management. This forces the Evidence Unit to get more behind every week in Case Reviews, purging and other evidence management.

Recommended solution: Purchase a reputable software system with redaction capabilities to better manage the requests, and provide more timely responses. This will allow more time on managing property and evidence rather than handling digital evidence requests. *Evidence.com* (Axon) is an option that should be highly considered. The time savings alone would pay for itself in a short period of time. Case prosecutions will not be lost due to delayed requests. Improved public confidence, and improved relationships with the Prosecutor's Office and the Defense Attorneys will be another benefit of this implementation.

The requests in this area will continue to grow, and better systems and practices need to be implemented as soon as possible. The property and evidence functions are suffering due to the time now required to physically produce CDs of body and car camera videos, as well as other digital evidence.

- 2 Drugs and other evidence that go to the New Mexico State Crime Lab are the responsibility of the Officer/Detective bringing in the evidence. The Officer takes these items to the Lab for processing, and brings them back.

Recommended solution: Have the Evidence Unit take the evidence to the New Mexico State Crime Lab and back to the Evidence Unit. Develop policy on what goes, and who approves what goes, if not a mandatory forensic exam is to be done.

- 1 Ticklers in *One Solution* are mandatory.

Recommended solution: If ticklers in *One Solution* are not possible, a standalone software system needs to be purchased to ensure tracking of signed out evidence is handled quickly and thoroughly, and Case Reviews are done in a timely manner to aid in reduced inventory levels.

- 3 Rows of Detective Case Files are stored in the Evidence Room.

Recommended solution: Develop a department policy on what Detective Files are kept in hard copy format and what case files are stored in digital format. Manage the inventory using as much digital format as possible, and consult with the Prosecutor's office on this topic.

- 2 CSIs are not part of the Evidence Unit. They have their own Drying Lockers for their use. They don't get involved in the cleaning and recovery of items from the Patrol/Detective drying Lockers in the Packaging/Temporary Locker room.

Recommended solution: Ensure the CSI Unit packages, processes and uses the same procedures as the Evidence Unit wherever possible. Bring the CSI Unit and Evidence Unit closer in their operations and practices for best efficiencies in SFPD.



- 1 CSIs do very little training on what Patrol or Detectives should bring in as evidence. That is left to the FTOs and the Basic Academy.
Recommended solution: Get the CSIs involved in Officer, Detective and other personnel training (including Evidence Unit personnel).
- 1-2 There is a second Packaging Room in the Report Writing Room.
 - 1 Recommended solution: Numerous packaging containers are used in the department. Paper envelopes (2 sizes) and plastic heat-sealed and pre-sized plastic with built-in evidence tape are used. Detectives and CSIs have different envelopes. This needs to be streamlined into same envelopes used throughout the department. No more silos on what is used to package evidence. Lab needs to be consulted on the packaging and storage requirements.
 - 1 There are no Property Room or Packaging Manuals to use.
Recommended solution: Update current Policies and Directives on evidence management. Include the requirement for audits and inventories; when they need to be done, by whom, and what is audited...comprehensive and supervisory audits
 - 1 Diversion policy needs to be written and implemented.
Recommended solution: Giving of items from the Evidence Unit to anyone without proper authorization and abiding by department policy should be forbidden. Diversion policy and tracking of diverted property is critical, and needs to be updated and enforced.
 - 2 The Huey Building was visited. This is location for Long-Term evidence, and vehicles stored as evidence. There are motion detection alarms inside the building and the exterior storage lot. Video cameras are located inside and out. The city server stores the video for 3-4 months. Lighting and security from the exterior gate in is excellent. Security on the chain link gate to the Long Term evidence inside the building's mezzanine is poor (Master \$10.00 padlock).
Recommended solution:
 1. Replace the current chain-link door to the Long Term evidence in the Huey Building with a secure door and locking mechanism.
 2. Work with the New Mexico State Crime Lab to ensure this is the best storage location for storing critical DNA evidence.

Day 2 Wednesday September 4, 2019

- 2 Rich and Ron have never had *AS 400* software training.
Recommended solution: Training on *One Solution* annually is critical. Annual updates are included in the current contract, and are needed to ensure best use of the software.

Case Audit: A 2008 homicide case was located in the Evidence Room...Computer shows this evidence in the correct location.



Recommended solution: Relocate all homicide evidence to one location after consultation with the New Mexico State Crime Lab and ensuring this location has the proper security and fire suppression systems.

Case Audit: I tried to locate Case 92-30068, a randomly selected sexual assault case, and found it documented in the computer software as located on Shelf 38 in the Evidence Room...this case could not be located after a prolonged search. The evidence was last handled by the Case Detective and returned to the Evidence Unit in March 2015. The case was closed in February 2015 by the Case Detective. This is unacceptable evidence management.

- 1 Recommended solution: All sexual assault cases need to be audited and accounted for immediately. Work with the Detectives working these cases, the Prosecutor's Office and the Courts to determine if they have any evidence stored outside of the Evidence Unit.

- 1 The Records Division needs to ensure their records are updated upon receiving case status updates, and records retained if evidence is still needed past the normal Records Retention timeframe.

Recommended solution: Lt. Strahon is working with the new Records Manager now on this.

- 1 Some of the Drug Take Back drugs are dumped in the Biohazard red bins for department disposal at St. Vincent's Hospital. This needs to cease.

Recommended solution: Develop a disposal policy using the New Mexico State Police if possible, for secure and timely drug destructions, to include drug take-back items.

- 2 Long-term supervision needs to be incorporated into the Evidence Unit.

Recommended solutions:

1. Consider an appointment of an Evidence Unit Supervisor selected from outside the department who has successful previous leadership experience in evidence management.
2. Work on clarification of classifications for current personnel in the Evidence Unit.

- 1 Recommended solutions: The current sworn Manager of the Evidence Unit, Lt. Strahon, should remain in this position and area of responsibility for longer term of assignment. Experience shows successful evidence management is accomplished when personnel turnover is reduced. Continuity in his position, and working with the new proposed supervisor, is key to successfully changing the culture of evidence management at the Santa Fe Police Department.

Other recommendations in this area:

1. Consider IAPE training for new hires within 6 months of hire, and refresher training for current employees, the newly appointed supervisor, and the manager every 3 years
 2. Discuss property room management with Mary Jo from Dona Ana County.
 3. Implement recurring 5-year background checks for all personnel working in the Evidence Unit
- 2 Ensure *One Solution* manages evidence as recommended by IAPE and SCSNW, and make changes as needed to ensure best evidence management.



Recommended solutions:

1. Visit regional agencies that manage property and evidence using *One Solution* to view how the Property and Evidence Unit works with the system.
2. Visit regional agencies that use best practices for property and evidence (Albuquerque PD, and perhaps Parker, CO PD). Use these agencies as models for designing the Evidence Unit.
- 3 Work to Achieve IAPE Accreditation
Recommended solutions: Follow the recommendations outlined in this report, and ask questions when they arise.

Sincerely,

Steve Campbell

Steve Campbell, Owner/Principle
SCS Northwest Consulting Services, LLC

Attachments:
Electronic and hard copies to:
Lt. Strahon
File

From: Tim Maxwell <tim.maxwell@outlook.com>
Sent: Thursday, October 24, 2019 5:21 PM
To: Nancy Owen Lewis <lewis@sarsf.org>
Subject: Canyon Road safety issue



Nancy,

As a member of the Public Safety Committee would you consider bringing up the possibility of moving the fire hydrant at 545 Canyon Road? Pedestrians must step out into the street to walk by this hydrant and it is dangerous as cars pass by on a steady basis. Thanks for considering this request.

Sincerely,

Tim Maxwell

